

San Francisco Bay Conservation and Development Commission

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TO: Commissioners and Alternates

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SUBJECT: **Additions and Changes to the Staff Recommendation on BCDC Permit Application No. 2017.007.00, Oyster Point Development Project at the Oyster Point Marina, in the City of South San Francisco, San Mateo County**
(For Commission consideration on April 19, 2018)

Proposed Revisions

The staff would like to make the following revisions to the staff recommendation dated April 13, 2018, to BCDC Permit Application No. 2017.007.00 to Oyster Point Development, LLC and the City of South San Francisco, for the Oyster Point Phases IC, ID, and a portion of IIC project, in the City of South San Francisco, San Mateo County.

Page 10, Paragraph 2, Line 1:

Flood Reporting. If any portion of the public access required herein and described in Special Condition II.B.2 located in the Commission's jurisdiction is subject to flooding that results in a closure of any area, the permittees shall submit to the Commission a written report within 30 days after the closure of the public access area with documentation of: the date of the closure and duration; the location of the affected site; the recorded water levels during the closure period; the source of flooding (e.g., Bay overtopping of shoreline or stormwater backup or overland flow); the resulting damage or cleanup; and illustrative photographs with site details.

Should be changed to:

Flood Reporting. If any portion of the public access required herein and described in Special Condition II.B.2 is subject to flooding that results in a closure of any area, the permittees shall submit to the Commission a written report within 30 days after the closure of the public access area. The written report shall include: the date and duration of the public access closure; the location of the affected site; the recorded water levels during the closure period; the source of flooding (e.g., Bay shoreline overtopping, stormwater backup, or overland flow); the resulting damage and/or cleanup; and representative photographs with site details.

Page 10, Paragraph 3, Line 1:

Adaptation Plan. Once the mean higher high water level reaches 10.63 feet (NAVD88), which corresponds with the elevation at which flooding of public access areas is predicted to occur during a 100-year storm event with 46.8 inches of sea level rise (as predicted for the year 2100, elevation 14.9 feet NAVD88), the permittees shall prepare and submit to the Commission an adaptation plan for the vulnerable public access areas for review and approval by or on behalf of the Commission. This plan shall include preferred adaptation strategies, the areas that are vulnerable, and anticipated timing of flooding. No permanent restrictions or closures of required public access areas may take place without additional approval by or on behalf of the Commission. If avoiding permanent closures is infeasible, the permittee shall provide equivalent public access to ensure public access to and along the shoreline in the event of permanent restrictions or closures contingent in part on the Commission's review and approval of such project modifications.

Should be changed to:

Adaptation Plan. By December 31, 2050, or when flooding of the public access areas required herein occurs due to sea level rise and associated storm events, whichever occurs first, the permittees shall prepare and submit a risk assessment for the public access areas required herein, to be approved by or on behalf of the Commission, pursuant to Special Condition II.A.

The risk assessment shall incorporate: (1) the most up-to-date sea level rise guidance from state and federal agencies; (2) an analysis of current water levels; (3) an analysis of landfill subsidence and its contribution to flooding; (4) any observed flooding events as reported in Special Condition II.B.6.a; (5) all types of potential flooding; (6) degrees of uncertainty; (7) preferred adaptation strategies to ensure the viability of the public access to flooding from sea level rise and storms; (8) consequences of defense failure; and (9) a timeline for implementation of shoreline adaptation to protect the required public access areas from flooding.

Upon review and approval of the risk assessment by or on behalf of the Commission, the permittees shall implement, including through any necessary Commission permits or amendments to Commission permits, all approved adaptation strategies within the approved timelines.

No permanent restrictions or closures of required public access areas may take place without additional approval by or on behalf of the Commission. If avoiding permanent closures is infeasible, the permittees shall provide equivalent public access to ensure public access to and along the shoreline in the event of permanent restrictions or closures contingent in part on the Commission's review and approval of such project modifications.

Page 30, Paragraph 2, Line 9:

... required public access areas once the mean higher high water level is 10.63 feet (NAVD88), which is when the areas are predicted to be flooded during a 100-year storm event with 46.8 inches of sea level rise, which would occur before the end of the century.

Should be changed to:

... required public access areas by December 31, 2050 or when flooding of the public access areas occurs due to sea level rise and associated storm events, whichever occurs first. This is anticipated to occur when the mean higher high water level is 10.63 feet (NAVD88), which is when the areas are predicted to be flooded during a 100-year storm event with 46.8 inches (3.9 feet) of sea level rise, which would occur before the end of the century. According to the State of California Sea Level Rise Guidance 2018 Update, this would occur between 2070 and 2080 under the high emissions scenario.